



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

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February 23, 2009

Mr. Terrell Garrett
Greenway Recycling
PO Box 4483
Portland, Oregon 97208

RE: Conditional No Further Action Determination
GreenWay Recycling
4135 NW Saint Helens Road
Portland, Oregon 97208
ECSI Site ID No. 4655

Dear Mr. Garrett:

The Oregon Department of Environmental Quality (DEQ) has completed a review of the document entitled "Independent Cleanup Report for GreenWay Recycling" dated December 4, 2007 and submitted to DEQ on your behalf by Evren Northwest. The property consists of Oregon, Tax Lots 1N1E19DB 1100, 1N1E19DC 200, 1N1E19DB 1200 as identified in the enclosed site vicinity map, legal property description, and residual soil impact map. The cleanup report was reviewed by DEQ under an Independent Cleanup Agreement dated May 30, 2007.

The DEQ staff report, entitled "Proposed No Further Action GreenWay Recycling" dated October 27, 2008 provides a summary of the site environmental conditions. The DEQ staff report and other site information are available at the DEQ Northwest Region for public review.

In accordance with Oregon Revised Statute, ORS 465.320 and Oregon Administrative Rules, OAR 340-122-100, DEQ held a 30-day public comment period in the month of November 2008. The public comment period was to announce DEQ's proposed approval of the site cleanup activities (as detailed in the staff report) and proposal for a Conditional No Further Action determination for the Site. Comments were received from the City of Portland and noted. No changes to DEQ's findings were made.

To address remaining site contamination, DEQ requested completion of an Easement and Equitable Servitude (E&ES) for the site which delineated restrictions on occupied structures, contaminated media management, and use of groundwater. On January 27, 2009 a DEQ-approved E&ES for the property was filed with Multnomah County. The E&ES stipulates the following site restrictions:

1. use or extraction of groundwater on the property for consumption or other beneficial uses is prohibited as long as the hazardous substance concentrations exceed the acceptable risk level for such use;

2. construction of enclosed structures on portions of the property, as indicated in Attachment B, is prohibited without prior written approval from DEQ;
3. any residential or agricultural use is prohibited on the property, and advance notice to DEQ of zoning or transfers of the property is required;
4. a DEQ-approved Contaminated Media Management Plan governing all soil disturbances and subsurface excavation activities near the existing contaminated soil locations shall be followed.

Based upon site conditions and history, DEQ does not believe that stormwater from the site is contributing contaminants to the Willamette River at levels that require DEQ's Cleanup Program oversight. This Conditional No Further Action decision does not address impacts to the river from past stormwater discharges.

DEQ concludes that based on the information presented to date, GreenWay Recycling site is currently protective of public health and the environment as long as the engineering and institutional controls are maintained as described in the E&ES. The site requires no further action under the Oregon Environmental Cleanup Law, ORS 465.200 et seq., while the required conditions are maintained unless new or previously undisclosed information becomes available.

On December 16, 2008, the GreenWay Recycling Property was placed on DEQ's inventory of sites that have a confirmed release and need additional investigation as required by ORS 465.225. The facility will remain on the inventory as required by ORS 465.230(2) as long as the unacceptable risk at the site, as controlled by engineering and institutional controls, remains. DEQ has updated the Environmental Cleanup Site Information System database to reflect the Conditional No Further Action decision and confirmed release status.

DEQ recommends keeping a copy of all of the documentation associated with this remedial action with the permanent facility records. If you have any questions about this letter, please contact Jim Orr at 503-229-5039.

Sincerely,



Keith Johnson
Northwest Region Cleanup Program Manager

Enclosures: Site Vicinity Map,
Legal Property Description
Sample Location Diagram and Residual Soil Data Map

cc: Jim Orr, DEQ Project Manager
Lynne Green, Evren Northwest
ECSI File #4655

EXHIBIT A

Legal Description

Parcel I:

A tract of land located in the L. C. Potter Donation Land Claim in Section 19, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

Beginning at the re-entrant corner in the West line of the L. C. Potter Donation Land Claim in Section 19, Township 1 North, Range 1 East of the Willamette Meridian; thence South $44^{\circ}42'$ West 44.62 feet to a pipe; thence South $38^{\circ}05'30''$ East 272.3 feet to a pipe at the true place of beginning; thence North $30^{\circ}00'$ East 366.48 feet to a pipe in the West line of N.W. St. Helens Road, thence South $38^{\circ}05'30''$ East 126 feet along N.W. St. Helens Road to a pipe; thence South $30^{\circ}00'$ West 366.48 feet to a pipe; thence North $38^{\circ}05'30''$ West 126 feet to the true place of beginning.

Parcel II:

A tract of land located in the L. C. Potter Donation Land Claim in Section 19, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

Beginning at the re-entrant corner in the West line of L. C. Potter Donation Land Claim in Section 19, Township 1 North, Range 1 East of the Willamette Meridian; thence South $44^{\circ}42'$ West 44.62 feet to a pipe; thence South $38^{\circ}05'30''$ East 146.3 feet to a pipe at the true place of beginning of the tract herein described; thence North $30^{\circ}00'$ East 366.48 feet to a pipe in the West line of N.W. St. Helens Road; thence South $38^{\circ}05'30''$ East 126 feet along N.W. St. Helens Road to a pipe; thence South 30° West 366.48 feet to a pipe; thence North $38^{\circ}05'30''$ West 126 feet to the true place of beginning.

LESS that portion taken thereof by the State of Oregon, by and through its State Highway Commission, in Civil Case No. 340-586.

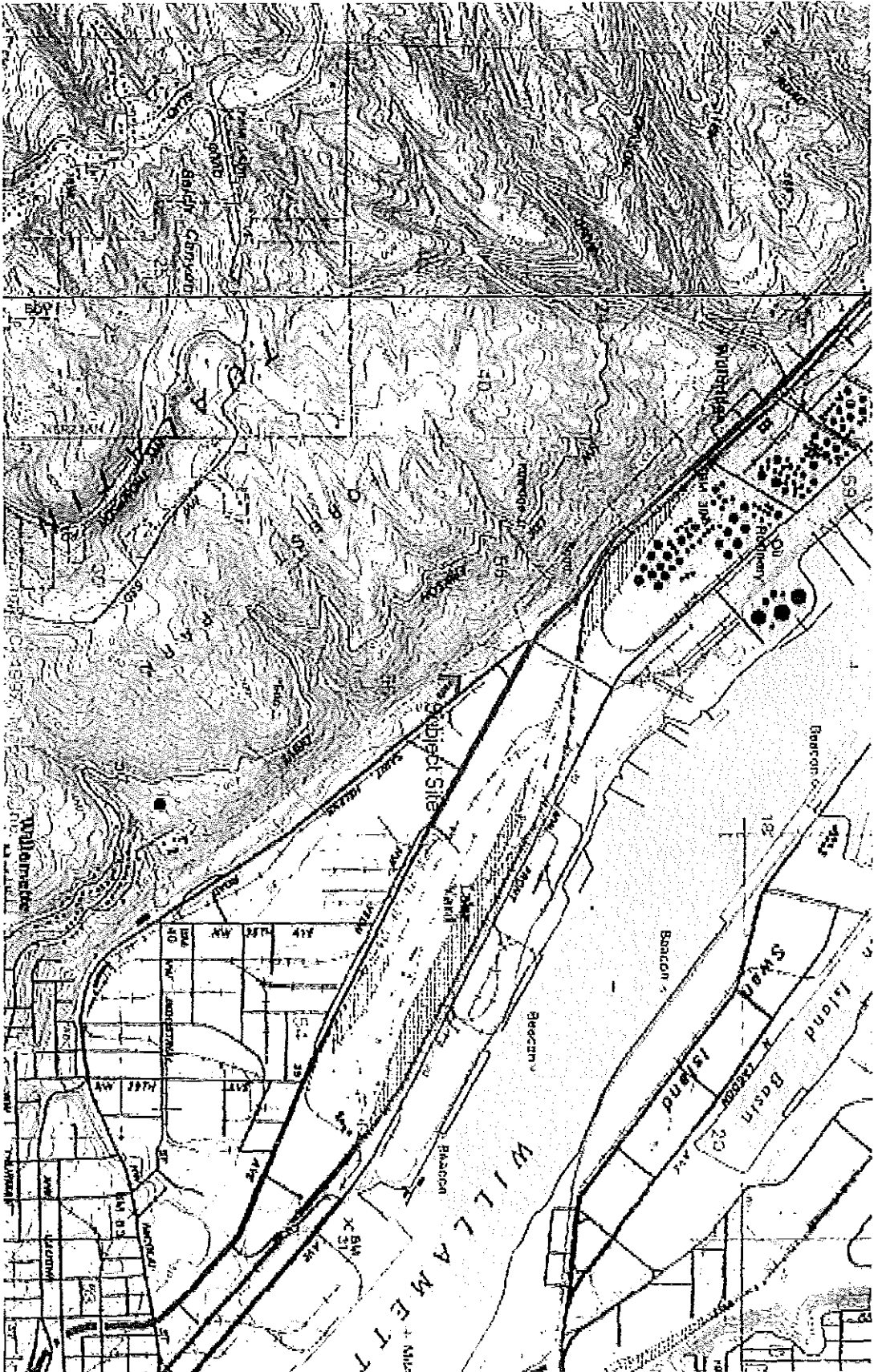
Parcel III:

A tract of land located in the L. C. Potter Donation Land Claim, in Section 19, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

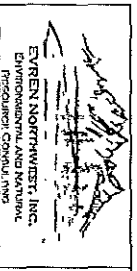
Beginning at an iron pipe in the Westerly line of the L. C. Potter Donation Land Claim, in Township 1 North, Range 1 East of the Willamette Meridian, which iron pipe is the re-entrant corner of said Donation Land Claim; thence North 30° East 318.77 feet to the Southerly line of N.W. St. Helens Road; thence South $38^{\circ}05'30''$ East along the Southerly line of N.W. St. Helens

Road, 133.6 feet to a point; thence South 30°0' West 366.48 feet to a point; thence North 38°05'30" West 146.3 feet to the Westerly line of said L. C. Potter Donation Land Claim; thence North 44°42' East on the Westerly line of said claim, 44.62 feet to the place of beginning.

EXCEPTING THEREFROM that portion of the above property described in document to the State of Oregon by and through its State Highway Commission recorded April 26, 1968 in Book 616, page 802, Multnomah County Deed Records.



Source: US Geological Survey, Portland 7.5-Minute Quadrangle, 1990

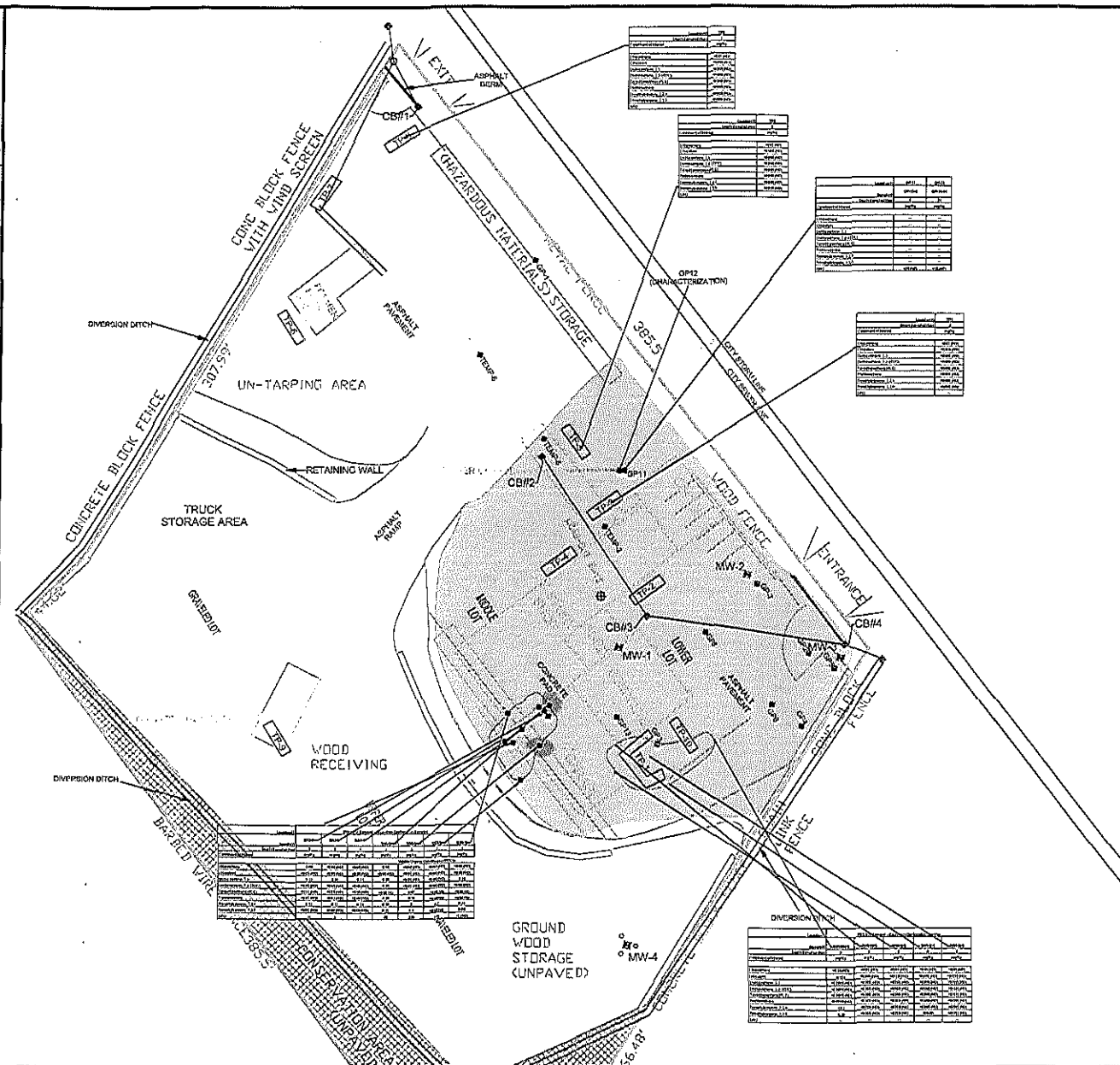
	<p>Date Drawn: 7/5/2007 CAD File Name: 232-03001-sv-map(Fig. 1).doc Drawn By: LDG Approved By: NMW</p>	<p>4135 NW Saint Helens Road Portland, Oregon For GreenWay Recycling</p>	<p>Site Vicinity Map</p>	<p>Project No. 232-03001-05 Figure 1</p>
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DRAWN BY
N. MORRIS 12/17/2006

CHECKED BY
L. GREEN 12/17/2006

APPROVED BY
12/17/2006

DRAWING NUMBER
232-03001(N06)



LEGEND:

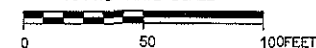
- APPROXIMATE BUILDING/STRUCTURE LOCATIONS
- APPROXIMATE FORMER BUILDING LOCATIONS
- CATCH BASIN
- APPROXIMATE DRAINAGE LINE LOCATIONS
- EX6 ENW SAMPLE LOCATIONS
- GP1 DIRECT PUSH BORING COMPLETED BY HART CROUSER ON 5/31/00
- SHR PBS ENVIRONMENTAL SOIL GRAB SAMPLE
- TP-1 TEST PIT COMPLETED BY PBS ENVIRONMENTAL IN MARCH 2000
- APPROXIMATE MONITORING WELL LOCATIONS
- ENW OUTFALL SAMPLE LOCATIONS
- AREA OF PROPOSED LAND-USE RESTRICTION; NO CONSTRUCTION OF ENCLOSED BUILDING THAT WILL HAVE OCCUPATIONAL USE
- APPROXIMATE EXCAVATION BOUNDARIES

GRO: GASOLINE-RANGE HYDROCARBONS
MG/KG = MILLIGRAMS PER KILOGRAM

NOTES:

1. BASE MAP DEVELOPED FROM PBS ENVIRONMENTAL PROJECT SITE MAP DATED FEBRUARY 2000 AND HART CROUSER PROJECT SITE PLAN MAP DATED JUNE 2000. NEW FEATURES TAKEN FROM AERIAL DATED 2005 AND DESIGN COUNSEL CAD DRAWING DATED 11-09-2006.

APPROXIMATE SCALE



PO BOX 80747, PORTLAND, OREGON 97280-1747
(503)452-5581 Fax (503)452-7889

ATTACHMENT B
SAMPLE LOCATION DIAGRAM
RESIDUAL SOIL DATA

GREENWAY RECYCLING
4135 NW ST. HELENS ROAD
PORTLAND, MULTNOMAH COUNTY, OREGON